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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/614,422	07/07/2003	Hiroaki Ueda	16803	7447
	90 04/24/2007 T MI IR PHY & PRESS	EXAMINER		
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			TEKLE, DANIEL T	
			ART UNIT	PAPER NUMBER
			2621	
SHORTENED STATUTORY	PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODÉ	
3 MONTHS 04/24/2007		04/24/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-		Application No.	Applicant(s)				
Office Action Summary							
		10/614,422	UEDA ET AL.				
	· ·	Examiner	Art Unit				
	T. 4411.000 0.455	Daniel Tekle	2621				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
WHIC - External after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DATE OF THE MAIL	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	l. lety filed the mailing date of this communication. O (35 U.S.C. § 133).				
Status			•				
1) 🛛	Responsive to communication(s) filed on <u>07 Ju</u>	ılv 2003.					
2a)□							
3)	,						
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Dispositi	on of Claims						
4) 🖂	4)⊠ Claim(s) <u>1-27</u> is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.						
	5) Claim(s) is/are allowed.						
6)⊠	⊠ Claim(s) <u>1-27</u> is/are rejected.						
7)							
8) 🗌	8) Claim(s) are subject to restriction and/or election requirement.						
Applicati	on Papers						
9)☐ The specification is objected to by the Examiner.							
10)⊠ The drawing(s) filed on <u>07 July 2003</u> is/are: a) accepted or b) objected to by the Examiner.							
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority u	inder 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)⊠ All b)□ Some * c)□ None of:							
	1. Certified copies of the priority documents have been received.						
	2. Certified copies of the priority documents have been received in Application No						
	3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment	(s)						
	e of References Cited (PTO-892)	4) 🔲 Interview Summary (PTO-413)				
2) 🔲 Notice	e of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Dat	e				
	nation Disclosure Statement(s) (PTO/SB/08) No(s)/Mail Date <u>08/03/06; 07/07/03</u>	5) Notice of Informal Pa	цепт Аррисатюп				

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by MacCormack et al (US 6,144,797).

Regarding Claim 1: MacCormack et al. disclose a video image data compression archiver comprising: an encoder compressing non-compressed video image data to generate compressed video image data; and an encoder controller connected to encoder to control a frame size, a frame rate, and an average bit rate of compressed video image data in response to at least one parameter selected from a group consisting of: a number of frames of non-compressed video image data, a recording time of non-compressed video image data, and a free area of a recording medium for recording compressed video image data (columns 61-62, lines 60-6; column 62 lines 25-46; column 86 lines 16-30 and figure 136).

Regarding Claim 2: MacCormack et al. disclose a video image data archiver according to claim 1, wherein said encoder controller decides average bit rate in response to at least one parameter, and decides frame size and said frame rate based on average bit rate (columns 61-62, lines 60-6).

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Regarding Claim 3: MacCormack et al. disclose a video image data archiver according to claim 1, wherein encoder controller monitors free area of recording medium, and modifies at lease one of frame size, frame rate, and average bit rate when detecting a change in free area of recording medium (columns 61-62, lines 60-6 and figure 136).

Regarding Claim 4: MacCormack et al. disclose a video image data archiver according to claim 3, wherein encoder controller decreases at least one of frame size, frame rate, and average bit rate when detecting a decreases in free area of recording medium (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claim 5: MacCormack et al. disclose a video image data archiver according to claim 3, wherein encoder controller increases at least one of frame size, frame rate, and average bit rate when detecting an increase in free area of recording medium (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claim 6: MacCormack et al. disclose a video image data archiver according to claim 1, wherein encoder controller monitors number of frames of non-compressed video image data, and modifies at lease one of frame size, frame rate, and average bit rate, when detecting a change in number of frames of non-compressed video image data (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claim 7: MacCormack et al. disclose a video image data archiver according to claim 6, wherein encoder controller decreases at least one of frame size, frame rate, and average bit rate, when detecting an increase in number of frames of

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non-compressed video image data (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claim 8: MacCormack et al. disclose a video image data archiver according to claim 6, wherein encoder controller increases at least one of frame size, frame rate, and average bit rate, when detecting a decrease in number of frames of non-compressed video image data (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claim 9: MacCormack et al. disclose a video image data archiver according to claim 1, wherein encoder controller monitors recording time of non-compressed video image data, and modifies at lease one of frame size, frame rate, and average bit rate when detecting a change in recording time (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claim 10: MacCormack et al. disclose a video image data archiver according to claim 9, wherein encoder controller decreases at least one of frame size, frame rate, and average bit rate when detecting an increase in recording time of original video image (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claim 11: MacCormack et al. disclose a video image data archiver according to claim 9, wherein encoder controller increases at least one of frame size, frame rate, and average bit rate when detecting a decrease in recording time of original video image (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claim 12: MacCormack et al. disclose a video image data compression archiver comprising: an encoder compressing non-compressed video image data to

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generate compressed video image data; and an encoder controller connected to encoder to control a frame size, and an average bit rate of compressed video image data in response to at least one parameter selected from a group consisting of: a number of frames of non-compressed video image data, a recording time of non-compressed video image data, and a free area of a recording medium for recording compressed video image data (columns 61-62, lines 60-6 and column 86 lines 3-13).

Regarding Claims 13-16: Claims 13-16 are rejected for the same subject matter as claims 2-3, 6 and 9 respectively.

Regarding Claim 17: MacCormack et al. disclose a video image data compression archiver comprising: an encoder compressing non-compressed video image data to generate compressed video image data; and an encoder controller connected to encoder to control a frame rate, and an average bit rate of compressed video image data in response to at least one parameter selected from a group consisting of: a number of frames of non-compressed video image data, a recording time of non-compressed video image data, and a free area of a recording medium for recording compressed video image data (columns 61-62, lines 60-6; column 62 lines 25-46 and column 86 lines 3-13).

Regarding Claim 18: MacCormack et al. disclose a video image data archiver according to claim 17, wherein encoder controller decides average bit rate in response to at least one parameter, and decides frame rate based on average bit rate (column 86 lines 3-31).

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Regarding Claim 19: MacCormack et al. disclose a video image data archiver according to claim 17, wherein encoder controller monitors free area of recording medium, and modifies at lease one of frame rate, and average bit rate, when detecting a change in free area of recording medium (column 86 lines 3-31).

Regarding Claim 20: MacCormack et al. disclose a video image data archiver according to claim 17, wherein encoder controller monitors number of frames of non-compressed video image data, and modifies at lease one of frame rate, and average bit rate, when detecting a change in number of frames of non-compressed video image data (column 86 lines 3-31).

Regarding Claim 21: MacCormack et al. disclose a video image data archiver according to claim 17, wherein encoder controller monitors recording time of frames of non-compressed video image data, and modifies at lease one of frame rate, and average bit rate, when detecting a change in recording time of non-compressed video image data (column 86 lines 3-31).

Regarding Claims 22-23: Claims 22-23 are rejected for the same subject matter as claims 1-2 respectively.

Regarding Claims 24-25: Claims 24-25 are rejected for the same subject matter as claims 12-13 respectively.

Regarding Claims 26-27: Claims 26-27 are rejected for the same subject matter as claims 17-18 respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117.

The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Tekle
Patent Examiner

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